

REMARKS

Claims 9 and 10 are pending in this application. Claim 9 has been amended. No new matter has been introduced.

Claims 9 and 10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rosset (U.S. Patent No. 3,375,288) as evidenced by Maunders et al. (U.S. Patent No. 5,550,309). This rejection is respectfully traversed.

Independent claim 9 is directed to a catalytic process for the dehydrogenation of an organic compound, the process comprising contacting the organic compound under dehydrogenation conditions with a supported catalyst consisting of nickel as the active catalytic component and silver or gold (as a promoter), the silver or gold being present in an amount between 0.001% and 30% by weight calculated on the amount of nickel in the catalyst. Claim 9 clearly recites that the catalyst consists of nickel as the active catalytic component and silver or gold.

Rosset discloses dehydrogenation catalysts consisting *inter alia* of nickel oxide-alumina and cupric oxide in combination with a stabilizer such as an oxide of silver (col. 2, lines 9 to 18).

Maunders discloses a process for dehydrogenation of hydrocarbon feeds in the presence of a catalyst comprising a rare earth oxide and e.g. nickel (col. 2, lines 32 to 40).

In contrast to the above known catalysts, the claimed catalyst consists of metallic nickel and silver or gold in an amount between 0.001% and 30% by weight, depending on the nickel edge surface area (see page 4, lines 10 and 11 of the application).

In view of the above facts, the obviousness rejection is impermissible hindsight because a combination of the teachings of Rosset and Maunders leads to a catalyst comprising either nickel oxide and silver oxide, or a rare earth oxide and metallic nickel. However, such combination does not disclose or suggest a catalyst consisting of metallic nickel and silver or gold.

In the field of catalysts, a person skilled in the art cannot expect an active catalyst when having picked up one component from a different composition and having incorporated this component into another composition.

Allowance of pending claims 9 and 10 is solicited.

Dated: December 29, 2008

Respectfully submitted,

By 

Stephen A. Soffen

Registration No.: 31,063

Gabriela I. Coman

Registration No.: 50,515

DICKSTEIN SHAPIRO LLP

1825 Eye Street, NW

Washington, DC 20006-5403

(202) 420-2200

Attorneys for Applicants